

DOCKET NO.: TJU-2389



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

JAN 16 2002

Scott A. Waldman, Jason Park and Stephanie Schulz

TECH CENTER 1600/2900

Serial No.: 09/819,252

Group Art Unit: 1642

Filed: March 27, 2001

Examiner: N. Davis

For: **COMPOSITIONS AND METHODS FOR IDENTIFYING AND  
TARGETING CANCER CELLS OF ALIMENTARY CANAL ORIGIN**

EXPRESS MAIL LABEL NO.: EL531173424US  
DATE OF DEPOSIT: December 28, 2001

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

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1-2002

Dear Sir:

**REPLY**

This Reply is being filed in response to the Official Action dated October 30, 2001 for the above-identified patent application. The period to respond is extended by petition and payment of the appropriate fee provided herewith.

Claims 1-33 are pending in the application.

Claims 1-33 have been subject to a restriction requirement.

Applicants elect Group III, claims 25-32 for examination at this time.

The Official Action indicates that if Applicants elect any one of Groups I, II or III an election of species is further required. The three species listing in the Official Action are A)

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**PATENT APPLICATION**

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detection of gene transcription product; B) PCR and C) immunoassay.

Applicants provisionally elect Species B, PCR and respectfully request reconsideration of the election of species requirement in view of the following. Applicants respectfully urge that Species B, PCR is a subspecies of Species A, detection of gene transcription product. PCR analysis provides on type of assay which can be used to detect a gene transcription product.

Claims 25-32 are in allowable form. An indication of allowability of earnestly solicited.

Respectfully submitted,



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Date: 12.28.01

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